

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Franklin Lee Harris,

Civil No. 06-1006 (ADM/SRN)

Plaintiff,

v.

**ORDER**

Carol Holinka, Warden; Michael K.  
Nalley, Regional Director; Harley G.  
Lappin, Director of the Federal Bureau of  
Prisons; and Harrell Watts,  
Administrator of National Inmate  
Appeals,

Defendants.

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Franklin Lee Harris, pro se, FCI-Milan, P.O. Box 1000, Milan, Michigan 48160

Lonnie F. Bryan, Esq., Office of the United States Attorney, 300 South Fourth Street, Suite 600,  
Minneapolis, Minnesota 55415, for Defendants

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The above-entitled matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss or for Summary Judgment (Doc. No. 45) is  
**GRANTED**; and
2. Plaintiff's retaliation claim is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 2, 2008

S/Ann D. Montgomery

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ANN D. MONTGOMERY  
United States District Court Judge